

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

KITCHEN & ASSOCIATES SERVICES,
INC.,

1:19-cv-10995

ORDER

Plaintiff,

v.

HAVEN CAMPUS COMMUNITIES,

Defendants.

O’HEARN, District Judge.

This matter comes before the Court on Plaintiff Kitchen & Associates Services, Inc.’s (“Plaintiff”) Second Motion for Default Judgment. (ECF No. 92). This Court dismissed Plaintiff’s prior Motion for Default Judgment—which was not supported by a brief—without prejudice on February 24, 2022, because it did not comply with the Local Civil Rules. (ECF No. 91). The present Motion is again not accompanied by a brief, but instead by a Statement in Lieu of Brief. (ECF No. 92-2). Having reviewed the Statement, as well as Plaintiff’s concurrently-filed Affidavit of Counsel (ECF No. 92-1), the Court finds that they are insufficient for the Court’s consideration of this Motion. While it may be true that “the Motion does not present any unusual or complex questions of law,” (ECF No. 92-1), it does require the Court’s careful analysis of the relevant facts and law with respect to the appropriateness of default judgment under the applicable three-factor test. *E.g., United States v. Thompson*, No. 16-00857, 2017 WL 3634096, at *2 (D.N.J. July 20, 2017). As such, the Court finds a brief is necessary. Accordingly, Plaintiff’s Motion will again be dismissed without prejudice so that Plaintiff may refile an appropriate motion accompanied by a brief in accordance with Local Civil Rule 7.2 that analyzes the relevant facts and applicable law.

THEREFORE,

IT IS HEREBY on this 1st day of March, 2022,

ORDERED that Plaintiff's Motion for Default Judgment (ECF No. 92) is
ADMINISTRATIVELY TERMINATED; and it is further

ORDERED that Plaintiff may refile an appropriate motion supported by a brief.

/s/ Christine P. O'Hearn
CHRISTINE P. O'HEARN
United States District Judge